



Chairperson: Bob Wyatt, NW Natural
Treasurer: Frederick Wolf, DBA, Legacy Site Services for Arkema

February 02, 2012

U.S. EPA
Attn: Richard Rice
Superfund Payments
Cincinnati Finance Center
PO Box 979076
St. Louis, MO 63197-900

Re: Site 108T, Portland Harbor RI/FS Request for Underlying Backup Regarding EPA Bill No. 2701226S0020 (Lower Willamette River, Portland Harbor Superfund Site, USEPA Docket No: CERCLA-10-2001-0240)

Dear Mr. Rice,

Thank you for the copy of EPA's Invoice No. 2701226S0020 which was received by the Lower Willamette Group (LWG) on January 30, 2012. By way of this letter, the LWG formally requests the underlying backup documentation for EPA Invoice No. 2701226S0020.

Section XXII of the Administrative Order on Consent for the Site authorizes the LWG to review the underlying EPA cost documentation including EPA personnel time sheets, travel authorizations and vouchers, EPA contractor monthly invoices, and all applicable contract laboratory program invoices. After review of the backup documentation, the LWG may request an adjustment for costs that are not consistent with the AOC. In addition, the underlying documentation is necessary for LWG members to maximize their opportunities for effective project management and cost or insurance recovery.

As described in the LWG letter to Mr. Chip Humphrey and Ms. Lori Cora of EPA on December 19, 2006, the LWG understands that the EPA interprets the AOC as requiring dispute resolution under Section XVIII of the AOC on oversight cost disputes. The LWG also understands that if during the 30-day period after receipt of the EPA Invoice, the LWG has any questions regarding the EPA Invoice, that the EPA is willing to provide clarification on billed costs as a way to help the LWG resolve any questions.

Before the end of the 30-day period, if the LWG has not received the information it needs in order to determine whether the billed oversight costs are within the scope of the AOC and related to the Portland Harbor, the LWG may invoke dispute resolution under Section XVIII of the AOC by sending a written letter to the Project Coordinator, defining the dispute, stating the basis for the objection, and sending the letter certified mail, return receipt requested.

The LWG requests that the underlying backup documentation for EPA Invoice No. 2701226S0020 include all documentation for the EPA consultants Parametrix and CDM including Task Order Progress Reports, Labor Summaries for applicable categories, and Expense Reports. The LWG requests this level of detail from the EPA consultants because the total

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amount billed by the EPA contractor exceeds the EPA staff billings and we understand this level of detail has been provided to the Port of Portland for EPA oversight of the Terminal 4 Project.

Once again, the LWG requests that in the future the EPA provide all underlying oversight cost documentation at the same time EPA's future oversight bills are transmitted to the LWG.

The LWG also requests that future invoices be sent to Bob Wyatt, LWG Chairperson; Kelly Madalinski, LWG Management Team; and Fred Wolf, LWG Treasurer, and that the copy of the underlying cost documentation be sent to Fred Wolf.

If you have any questions, please call Bob Wyatt at 503-860-3451 or Fred Wolf at 253-229-1044.

Sincerely,



Bob Wyatt

cc: Chip Humphrey
Lori Cora
Gail Akiyama
LWG Executive Committee
LWG Legal Committee
LWG Repository